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ECOSOC 1948: A REVIEW AND FORECAST

by Walter M. Kotschnig

In a troubled world, full of new fears and suspicions, a world beset with unsolved economic and social problems, questions are being raised more and more insistently about the efficacy of the United Nations and the whole planetary system of international organizations revolving around it. The headlines shriek about new threats to the peace, if peace there is. The teeming millions everywhere worry about the cost of living, the insecurities of tomorrow, and, in most parts of the world, the bare necessities of life. Those who have ever heard of the Economic and Social Council of the United Nations and such organizations as the Food and Agriculture Organization or the International Bank for Reconstruction and Development or the International Trade Organization are no longer satisfied with promises and aspirations. They want to know whether and what reality there is beyond the haze of high-sounding statements of purpose and intention.

The peoples of the world who helped to create these organizations and who support them have a right to know. The time has come for an accounting, for a hard-headed review and evaluation, not of promises but of achievements. Failures must be recognized and errors frankly faced. Such a review of United Nations efforts in the economic and social fields is now under way in the Department of State and will be made public in the near future. The present article sets itself the more modest task of scrutinizing the work of the Economic and Social Council (Ecosoc) in 1948. At the same time, such scrutiny will call for a consideration of at least some of the major activities of the subsidiary bodies of the Council and of the specialized agencies.

The Economic and Social Council is the center of the system of intergovernmental organizations dealing with economic, social, humanitarian, and related issues. Through the Council the work of all these organizations is to be coordinated, overlaps and duplications are to be avoided, and joint action is to be achieved in meeting some of the

major economic and social problems of the post-war world.

Tooling Up for Economic and Social Cooperation

The Council is responsible for the coordination of the activities of these organizations; in addition the Council itself initiated the creation of several of the intergovernmental organizations established since the war and brought all of them into close relationship with the United Nations.

Agreements With Specialized Agencies

The Council's Committee on Negotiations with Inter-Governmental Agencies has negotiated relationship agreements under articles 57 and 63 of the United Nations Charter with 11 of these organizations.

Four of these agreements—with the International Labor Organization (ILO), the Food and Agriculture Organization (FAO), the United Nations Educational, Scientific and Cultural Organization (UNESCO), and the International Civil Aviation Organization (ICAO)—were concluded and entered into force before the Second Session of the General Assembly in September 1947.

Five other agreements were approved by the Second Session of the General Assembly in 1947: agreements with the International Bank for Reconstruction and Development (IBRD), the International Monetary Fund (IMF), the World Health Organization (WHO), the Universal Postal Union (UPU), and the International Telecommunication Union (ITU).

In the course of 1948, the Council concluded two further agreements—with the International Refugee Organization (IRO) and the Preparatory Committee of the Intergovernmental Maritime Consultative Organization (IMCO)—which the Third Session of the General Assembly approved in the fall of 1948.

No agreements have been concluded to date with two remaining major intergovernmental agencies, the International Trade Organization (ITO) and the World Meteorological Organization (WMO).

THE UNITED NATIONS AND SPECIALIZED AGENCIES

Both organizations are still in the preparatory stage but have expressed the hope that they may soon enter into negotiations with the United Nations. Of these 13 agencies only three—ILO, UPU, ITU—existed before World War II.

Commissions Established

The listing of these specialized agencies gives only part of the picture. Although these agencies are largely autonomous, operating within their respective fields, Ecosoc has created 12 commissions, subsidiary and advisory to the Council. Nine of these commissions are functional in character; three are regional. A simple enumeration of the commissions and their several subcommissions will give an idea of the scope of the Council. The broad economic field is covered by the Economic and Employment Commission and its Subcommissions on Economic Development and on Employment and Economic Stability. Transport and related matters are discussed by the Transport and Communications Commission. The Social Commission deals with problems of social welfare, including such matters as child and family welfare, prevention of white-slave traffic, penal and penitentiary reform, housing, and standards of living. The Commission on Human Rights has to date concentrated on drafting two documents, a declaration and a covenant on human rights. It is assisted by a Subcommission on Freedom of Information and the Press and another on Prevention of Discrimination and Protection of Minorities. Closely related to the work of the Commission on Human Rights is the Commission on the Status of Women, primarily devoted to the extension of women's rights. The Statistical Commission has set up a Sub-Commission on Statistical Sampling and a Committee on Statistical Classification. There are in addition the Fiscal Commission, the Population Commission, and the Commission on Narcotic Drugs; the latter closely related to the Permanent Central Opium Board and the Supervisory Body, which were both taken over from the League of Nations. Each of these commissions and subcommissions, with the exception of the Fiscal Commission and the Subcommissions on Statistical Sampling and on Prevention of Discrimination and Protection of Minorities, has held at least one meeting in 1948.

Of the three regional commissions, the Economic Commission for Europe (ECE) is the oldest

and has been by far the most active. It operates through a number of committees and subcommittees and working parties on industrial materials, timber, steel, coal, inland transport, electric power, and trade. The Economic Commission for Asia and the Far East (ECAFE) held two sessions in 1948, and the Economic Commission for Latin America (ECLA) held its first session in June 1948. The creation of an Economic Commission for the Middle East (ECME) is under consideration by the Council.

Merely to list all these agencies and bodies is truly staggering. In the period of transition from war to peace, the world has created, by means of international bodies, the tools to cope with almost every problem that lends itself to international action. More international machinery has been established during these three years than was created during the twenty years of active existence of the League of Nations. In 1946 and 1947, these organizational developments proceeded most rapidly, slowing down in 1948 not because of less need for cooperation through international organizations but because of the completion of the organizational pattern. The period of tooling-up is over. We now expect production and delivery.

Sand in the Machinery

The shift in emphasis from organizational to substantive issues was clearly reflected in the agenda and work of the two sessions of the Council in 1948, the Sixth Session, held at Lake Success from February 2 to March 11, and the Seventh Session, held in Geneva from July 19 to August 29. Instead of spending time discussing the terms of reference and membership of commissions, the Council concentrated attention on such matters as the *Economic Report: Salient Features of the World Economic Situation, 1945-1947*, the first postwar and world-wide economic report prepared by the Secretariat, or on measures to meet the continuing world food crisis. Instead of giving days and weeks to a discussion of the constitution of the International Refugee Organization, it occupied itself with concrete proposals regarding the repatriation and resettlement of approximately 800,000 refugees.

Before we proceed to an analysis of the substantive issues before the Council and the way in which they were handled, it is important to convey

an idea of the temper and atmosphere in which the Council operates. The substantive problems of the Council are the problems of a dislocated world—as wide in scope and as complicated. They cannot be dissociated from the strains and stresses of present-day politics. This is not necessarily bad. To disregard politics in the consideration of economic and social issues leads too easily to abstract and academic conclusions of little practical worth. Unfortunately, however, politics have been injected into the work of the Council to a point where they tend to interfere seriously with the accomplishment of its tasks. There is a tendency to make economic thought completely subservient to political expediency and to use the Council as a mere sounding board for political propaganda.

Soviet Russia and her satellites are the chief protagonists of the unlimited primacy of politics over economics, Karl Marx notwithstanding. One of the outstanding characteristics of the two sessions of the Council in 1948 was the extent to which these countries stepped up their political propaganda campaign. There was hardly an item on the agenda that did not provoke endless propaganda speeches; frequently these speeches lost all contact with the issue at hand. Thus at the Seventh Session the discussion of the protocol to bring under international control drugs outside the scope of the narcotics convention of 1931 centered not on the question of drug control but almost completely upon the “sinister” attempt of the “colonial powers” to exempt their colonies and territories from the application of the convention. The fact that the United States, as a general rule, applies to its territories all the conventions to which it becomes a party did not save the United States Delegation from repeated attacks on U.S. “colonialism”.

Similarly, in the discussion of the report of the International Civil Aviation Organization the Soviets appeared interested only in the question of the alleged Spanish participation in the organization rather than in the remarkable progress made by the organization in furthering international civil aviation. Every time a nongovernmental organization asks to be brought into consultative relationship with Ecosoc under article 71 of the Charter the first question asked by the Soviet Representative is not whether the organi-

zation has anything to contribute to the work of the Council, but whether it has any member in Spain. The orgy of political propaganda reached its height in the discussions of the relations between the European Recovery Program and the Economic Commission for Europe, the review of the Secretary-General's report on the progress and prospect of the repatriation and resettlement of refugees and displaced persons, as well as the review of the report of the Commission on the Status of Women and the draft conventions on freedom of information.

Hour after hour, day after day, speakers from the U.S.S.R. and the satellite states, particularly Poland, would hold forth on the “iniquities” of Western capitalism and imperialism. From August 6 through August 26, 1948, altogether 456 speeches were made by the 18 members of the Council in plenary sessions, lasting altogether 3309 minutes. Of these, 108 speeches were made by the Representatives of the U.S.S.R., Byelorussia, and Poland, lasting a total of 1184 minutes, or more than a third of the time used by all the 18 members of the Council. The Representative of the U.S.S.R. alone intervened 65 times, speaking altogether 900 minutes. During the same period the Representatives of the United States, the United Kingdom, France, and China combined took up only 870 minutes of the time of the Council.

There can be no doubt that the propagandistic and obstructionist tactics of the Eastern states interfere seriously with the achievements of the Council. In the Seventh Session of the Council 11 items on the agenda had to be postponed to later sessions, including such items as the problem of forced labor and measures for its abolition, equal pay for equal work for men and women, and the protection of trade-union rights and the freedom of association.

Such are the trials of the Economic and Social Council. But what are its achievements?

Clarification

Confused and wishful thinking, national or international, is a threat to international peace and an impediment to constructive action. It stands to the credit of the Economic and Social Council that it has greatly contributed to the clarification of present-day international issues.

European Recovery

Both in its Sixth and Seventh Sessions the Council discussed the European Recovery Program. Even though this subject did not appear as an item upon the agenda of the Council, it was raised by the Representatives of the U.S.S.R. and of some of its satellite states. The United States was accused of frustrating the work of Ecosoc by not offering its aid to Europe, and the earlier aid to Greece and Turkey, through the United Nations.

It will be recalled that even within the United States there were some who criticized this Government for "by-passing" the United Nations. If ever any doubt existed about the soundness of the more direct approach to problems of European recovery taken by the United States Government, these doubts have been completely dispelled by the discussions in the Economic and Social Council. In the course of these discussions it clearly evolved that any attempts to organize the European Recovery Program through the United Nations would have caused interminable and probably fatal delays which might well have meant economic and political catastrophe in Europe. The attacks on the Marshall Plan by the Representatives of the U.S.S.R. showed that they not only did not want to cooperate in European recovery but that they were determined to prevent the implementation of the European Recovery Program, which they characterized as an imperialist attempt to "enslave" Western Europe. Representatives of the United Kingdom and of France were quick to refute these Soviet accusations and to point to the predominant part played by the European governments themselves in planning and carrying out that program.

Nor was it overlooked, that, by contrast, the U.S.S.R., through the establishment of "mixed companies" and by other means, is indeed attempting to obtain a stranglehold over the economies of the satellite countries. The farther the discussion proceeded, particularly in the Seventh Session of the Council, the more it became evident that the Soviets were opposed to any effective help to Western Europe. In a resolution introduced in the Seventh Session, which played up the Economic Commission for Europe, which body was established in March 1947, against the European Recovery Program, they urged that the ECE expand its activities to assist the governments

of those countries of Europe which were less developed—meaning of course Eastern Europe—and to help increase agricultural production by providing technical aid and easy credit to the peasants and prevent unemployment "caused by the European Recovery Program". The whole resolution was interspersed with expressed or implied denunciations of United States policy. This move on the part of the Soviets did not achieve its ends. On the contrary, it only served to strengthen Western solidarity. The Russian resolution was defeated by a vote of 15 to 3 (U.S.S.R., Byelorussia, and Poland). It should be noted that the United States supports both the ERP and the ECE which will be discussed more fully.

Recovery in Asia and Far East

Some measure of clarification has also been reached regarding recovery and development programs in other parts of the world. There has been a natural and manifest tendency in many foreign quarters to expect the establishment of Marshall Plans in other regions of the world. Even where it was not assumed that all or most of the funds necessary for large-scale development plans would be made available by the United States, it was frequently assumed that the United States would become the major partner in the implementation of such plans. This assumption has been very evident in the Economic Commission for Asia and the Far East, a working party of which issued a report calling for an expenditure of 13 billion dollars on industrial development in the area through the next 5 years.

According to informal estimates it was expected that the United States might contribute over 7 billion dollars of that total. At the Fourth Session of ECAFE in Lapstone, Australia, November 29–December 10, 1948, the U.S. Delegation made it clear that the United States, although fully sympathetic to the needs of the area, did not and could not contemplate at this point the formulation of projects for the development of the area which called for large-scale financial support on the part of the U.S. Government. Thus the notion of new Marshall Plans is gradually being dispelled, and the limitations of American resources for purposes of foreign development are being recognized. As a result, attention is gradually shifting to other and more realistic methods for assisting particular development problems

emphasizing a larger degree of self-help coupled with technical assistance from abroad when necessary.

Arrangement Among Nations

Behind the discussions, centered on specific issues of reconstruction and development, looms a broader issue which is likely to hold the attention for some time to come not only of the Economic and Social Council but more particularly of the various governments members of the United Nations. It is the question of whether and to what extent the global or broadly multilateral approach to international economic problems can or should supersede bilateral or otherwise restricted arrangements among states. In view of the large network of international economic organizations established in recent years, some think the time has come to reject all bilateral and sectional arrangements in favor of global, or at least broadly multilateral, arrangements. Others contend that bilateral arrangements or arrangements among a limited number of countries are more easily concluded and more effective and that it will be a long time before these types of arrangements can be abandoned. Although any categorical statement on this subject may be unwise, it would appear that neither school of thought is correct. Modern technological progress, which has made for economic interdependence, favors the broadly multilateral arrangements.

At the same time political differences preclude the swift conclusion of global arrangements, with serious consequences in cases where time is essential. In the solution of international economic and related problems, therefore, both approaches must be used and any "either-or" position can only lead to barren discussions. In the ERP, for example, the global approach through the United Nations would not have been effective. On the other hand the work accomplished under the auspices of the United Nations in the drafting of the Charter for the International Trade Organization in Habana, which was endorsed by the Economic and Social Council at its Seventh Session, is an excellent example of a broad multilateral approach to international economic relations. The Charter was negotiated among 57 countries and lays down a detailed commercial code governing the conduct of its mem-

bers regarding trade barriers, cartels, and commodity agreements. This is a long-range proposition which will be the more effective the larger the number of countries participating in the Iro. The conclusion, in 1948, of the work on the Charter is one of the great achievements of the United Nations.

Social Commission

Turning from economic to social issues, the work of the Council has resulted in considerable clarification of the social activities of the United Nations. In its Seventh Session the Council approved the report of the Social Commission, which sets forth a clear-cut program in the social field. Priorities were established according to which attention will be centered on problems of family, youth, and child welfare, which, without doubt, are basic to the well-being and stability of all countries; on the suppression of traffic in women and children and obscene publications; on the prevention of crime and the treatment of offenders; on housing, town and country planning; on standards of living; and on migration. Specific studies of these problems are now going forward in the Secretariat, and the discussion of concrete measures to meet these problems has taken the place of high-sounding declaratory statements which characterized earlier meetings of the Social Commission and of the Council.

IRO

Despite strenuous opposition from the Eastern European members of the Council, clarification was also obtained in the discussion of the serious problem of refugees and displaced persons, of whom there are still close to one million in Europe. The U.S.S.R., seconded by Poland and Byelorussia, made every effort to discredit the work of the International Refugee Organization as an instrument of Western "war-mongers" and "slave traders", who for political reasons and the obtaining of cheap labor were opposed to the repatriation of these unfortunate refugees and displaced persons. In the course of discussion of this issue at the Seventh Session, it was brought out that the large majority of persons displaced during the war and still alive had returned to their respective countries and that the remaining one million represented only less than one seventh of the total of those originally displaced.

It was clearly demonstrated that while the Iro,

in cooperation with the occupation authorities of those parts of Germany and Austria where most of these displaced persons find themselves, is continuing its efforts for repatriation, the limits of such repatriation have for all practical purposes been reached. Those who remain are either people whose nationality cannot be ascertained or who definitely do not want to return to their countries of origin for fear of reprisals. Thus not out of choice but due to necessity the accent in refugee work will in the future have to be placed on resettlement rather than repatriation. As regards children among the displaced persons, the Council agreed that children should be united with their parents wherever the latter may be, and that orphans or unaccompanied children whose nationality has been established beyond doubt should be returned to their country, always provided that the best interest of the child is the determining factor.

In the question of refugees, Soviet opposition resulted again in greater solidarity on the part of the overwhelming majority of the Council, which voted the final resolution by a majority of 15 to 3 (U.S.S.R., Poland, and Byelorussia). By a similar vote the Council decided to initiate the drafting of an international convention governing the issuance of the "declaration of death", an issue of great interest to the survivors of an estimated 8 million people who disappeared during the war and most of whom it can be assumed have perished.

Human Rights and Freedom of Information

The process of clarification was illustrated most strikingly in the field of human rights and freedom of information. In the course of 1948 these issues were discussed at great length in the Human Rights Commission and its Subcommission on Freedom of Information and the Press, in two sessions of the Council, in the General Assembly, and in the Conference on Freedom of Information held in Geneva from March 23 to April 21.

In these discussions it became very evident that the U.S.S.R. is divided from the rest of the world by fundamental differences in outlook and philosophy. The rock bottom of ideological disagreement was reached early in the discussions. Although the U.S.S.R. is interested in the so-called social rights such as rights to employment, leisure, health, and education, it believes that these rights

are to be assured primarily by state action, i.e. by the regimentation of the individual. At the same time the U.S.S.R. has little interest in or is fundamentally opposed to the historic but still vital rights, such as freedom of speech and expression; the right to fair trial; the right to move freely within and beyond the territory of a state; and similar basic tenets of a free society. In the drafting of the Declaration of Human Rights, which was adopted by the General Assembly after it had been prepared by the Commission on Human Rights, the Eastern European Representatives attempted to amend almost every article to insist on the responsibilities of the individual to the state and on measures to control the individual. The Declaration which finally emerged shows some traces of that insistence, but it remains basically a declaration for free men; drafted and approved by free men. The final Assembly vote was by an overwhelming majority of 48 to 0, with abstentions by the Soviet bloc—the U.S.S.R., Czechoslovakia, Yugoslavia, Byelorussia, the Ukraine—and also by Saudi Arabia and South Africa. Honduras and Yemen were absent when the final vote was taken.

The Soviet struggle against larger freedom in the world was even more strenuous in the discussions of freedom of information. To the U.S.S.R., freedom of information means freedom to publish only what is acceptable to Soviet doctrine and interest. Everything else they label as war-mongering and incitement to hatred and therefore has to be controlled, censored, and penalized. In the Council, the Soviet Representatives were either unable or unwilling to show any comprehension of the American point of view, shared by most of the other countries, which is based on our faith in the dignity and worth of the individual and his ability to think for himself and to form his own opinion on the basis of all available information and which therefore postulates the widest freedom for the dissemination of information without state interference. Notwithstanding Eastern European opposition the Conference on Freedom of Information, which had been called by the Economic and Social Council, succeeded in drafting three conventions: on the gathering and international transmission of news, designed to give greater freedom to foreign correspondents; concerning the institution of an international right of

correction, designed to counteract false information; and on freedom of information, safeguarding in more general terms freedom of speech and expression. Only a small minority, chiefly composed of the U.S.S.R., Byelorussia, the Ukraine, Poland, Czechoslovakia, and Yugoslavia, opposed these drafts in the final votes. They also opposed most of the other 43 resolutions of the conference, which dealt with specific measures to facilitate the gathering and international transmission of information; with measures concerning the free publication and reception of information; with continuing machinery to promote the free flow of information, including the continuation of the Subcommittee on Freedom of Information and the Press; and with possible modes of action by which recommendations of the Council could best be put into effect.

When these draft conventions and the resolutions of the conference came before the Seventh Session of the Economic and Social Council the Representatives of the U.S.S.R., Byelorussia, and Poland engaged in a full-fledged filibuster. Having discovered that they were practically alone in their views and could not gain a favorable vote, they did their utmost to prevent the majority from reaching decisive votes. In this attempt they were unfortunately successful, with the result that the Economic and Social Council, without voting on the substance of the conventions and the resolutions, passed them on to the Third Session of the General Assembly. There again the protracted discussions of the Declaration of Human Rights made it impossible for the Third Committee of the General Assembly to take action upon the conventions or the resolutions. Thus the conventions will have to await the reconvening of the General Assembly in April 1949, while some of the resolutions may not be acted upon before the Ninth Session of the Economic and Social Council in July 1949. This Soviet success in temporarily hampering the cause of freedom may prove only a Pyrrhic victory and the three conventions, after suitable revision, will meet with the same acceptance on the part of the General Assembly which they found in the Conference on Freedom of Information.

Genocide

Soviet opposition was not so destructive in the drafting of the convention on genocide, even

though they were most reluctant to accept any form of international criminal jurisdiction on the ground that it violated the principle of national sovereignty. This thoroughly reactionary point of view did not prevail. The Soviet Representatives did, however, take a successful lead in the General Assembly, which received the draft convention from the Economic and Social Council, to eliminate political groups from the groups protected by the convention.

Voting

Soviet Representatives and their satellites in the Council, as well as Soviet publications, have complained bitterly about the "Anglo-American voting machine" which caused the almost unbroken series of Soviet defeats and prevented the Council from taking "constructive action" as such action is understood in Moscow. This is rather a pathetic explanation. No such "voting machine" operates in the Council unless the term is applied to the mechanical minorities of the Soviets and their satellites. Numerous occasions could be pointed out where the United States point of view on particular issues was not supported by the majority. It is true, however, that the solidarity of the nontotalitarian countries on matters of principle has indeed been striking. That solidarity which is rooted in a common belief in basic rights and decencies and is nourished by a growing understanding of contemporary facts has been greatly advanced by the work of the Council and its subsidiary bodies. All the complaints about the "voting machine" only show that the vice of wishful thinking evidently has been shifted from the Western "idealists" to the Eastern European "realists".

Fact-Finding

Second in importance in an evaluation of the work of the Council is the fact that it has laid the foundations for what is probably the greatest cooperative effort in history in ascertaining economic and social facts. In field after field, the Secretariat of the United Nations and experts invited by it are developing studies and publications. As a rule, the programs of studies and publications are suggested by the Commissions of the Council, which submit their proposals to the Council for approval.

Publishing Statistical Information

Thus, during the year under review the Council approved and called upon member governments to implement detailed programs of studies and specific recommendations submitted by the Statistical Commission and the Population Commission. The Statistical Commission's program for the improvement of the international comparability of national statistics includes studies on problems of statistical classifications; analyses of the concepts and methodologies of basic industrial production and price indexes; definitions, methods, and techniques in census collection, including the use and adaptation of statistical sampling; as well as special consideration of specific problems relating to housing, migration, transport and communications, national income, trade statistics, populations and vital statistics, cost-of-living statistics, and family-budget inquiries. In pursuing these objectives, the Commission is working in close contact with the appropriate specialized agencies through a Special Consultative Committee on Statistical Matters. The results of the studies undertaken including assembled statistics, are, in part, being published in the *Monthly Bulletin of Statistics*, which has already become an indispensable source of information. In addition the Economic and Social Council authorized the publication of a *Statistical Year Book* as well as a *Demographic Year Book* prepared by the Secretariat under the guidance of both the Statistical Commission and the Population Commission. A special publication has been devoted to *National Income Statistics of Various Countries 1938-1947*.

Both the Statistical and the Population Commissions have been paying special attention to preparations for the world-wide 1950 census and are working on a common set of questions to be asked at that time wherever the census is taken. The Economic and Social Council in its Seventh Session, furthermore, approved the recommendation of the Statistical Commission that a study be undertaken, in collaboration with the specialized agencies, regarding the shortages of trained statisticians. It also requested the Secretary-General to formulate an international program of education and training to meet these needs.

Population Statistics

Beyond collaborating with the Statistical Commission on matters relating to the *Demographic*

Year Book and the 1950 census, the Population Commission is giving special attention to the interrelationship of demographic, economic, and social factors. The importance of these studies need not be emphasized in a world where it has been suggested that population is outgrowing available food supplies and where birth rates, in Europe for instance, may well determine the political complexion of the world twenty or thirty years from now. With the approval of the Council, the Commission has initiated a special study, in cooperation with the World Health Organization, on infant mortality. In addition, the Commission has established a program of studies regarding the population aspects of migration, which includes five items: improvement of migration statistics; analysis of change in the size and structure of populations in the countries of origin and destination, resulting from migration; analysis of the influence of migration on the size and characteristics of the labor force in countries of immigration and emigration; analysis of the influence of economic and social factors on migration; and influence of legislation on migration. Several of these studies are being carried on in close cooperation with the International Labor Organization.

Fiscal Information

For the sake of completeness, reference should be made also to the work of the Fiscal Commission, even though it did not meet in 1948 and the Council did not take any action on fiscal matters during the year. This does not indicate any lack of activity in the field for which the Commission is responsible. The Council in its Fifth Session approved an elaborate program of studies which is now being undertaken by the Secretariat. Substantial documentation is in preparation both for publication and for submission to the next session of the Fiscal Commission in January 1949. With the approval of the Council, the Secretariat has established an international fiscal information center which collects and is making available information on double taxation and other tax obstacles to international trade, foreign investment, and economic development. It is preparing a series of reports under the heading *Public Finance Surveys*, which will ultimately cover some 60 countries. Another volume, *Public Debt, 1914-1947*, will be available shortly, which will contain

tables giving comprehensive information on the public debt—long term and short term, domestic and foreign—of some 60 countries during the last thirty-year period. A collection, *International Tax Agreements*, is presently in the process of being printed.

These remarkable achievements in fact-finding are due, among other reasons, to the fact that present-day political divisions have so far not interfered substantially with the work of these commissions, although it should be noted that even statistical information from the U.S.S.R. continues to be scarce.

Economic Reports

Mention has been made of the *Economic Report: Salient Features of the World Economic Situation, 1945-1947*, which was prepared by the Secretariat and which is to be published annually. This report formed the basis of an extended debate in the Sixth Session of the Council, the full text of which was published in printed form as the *Supplement to the Economic Report*. In turn, the Economic Commission for Europe has produced a *Survey of the Economic Situation and Prospects of Europe* and the Economic Commission for Asia and the Far East an *Economic Survey of Asia and the Far East, 1947*. A similar report on the economic situation in Latin America is being prepared by the Secretariat of the Economic Commission for Latin America.

All this fact-finding work is essential to the formulation of policies both of international organizations and of national governments. It offers the raw material which will give body to the discussions of the Economic and Social Council and such commissions as the Economic and Employment Commission, the record of which has been somewhat disappointing. The report of the Economic and Employment Commission submitted to the Seventh Session of the Council was subjected to severe criticism by many members of the Council as being too academic. The Commission itself, not satisfied with its achievements, has appointed an *Ad Hoc* Committee on Organization, which will review the structure and functions of the Commission and will report to the Commission previous to consideration of its future at the Ninth Session of the Council.

Child Welfare and Town Planning

Increased emphasis on systematic fact-finding

has also been characteristic of much of the work accomplished in the social field in 1948. The Council approved the continued publication of the *Legislative Series on Child Welfare*, originally initiated by the League of Nations, and the *Summaries of Annual Reports on Child Welfare*, submitted by governments. In the future these publications are to be combined in one volume. Summaries of annual reports on traffic in women and children and on the suppression of obscene publications are now being published. Finally, the Council approved the proposal of its Social Commission for the publication of a *Bulletin on Housing and Town and Country Planning*, the first issue of which is now in preparation. It is intended as a focal point for the collection and publication of information in this important field of social planning.

Status of Women

Much of the time of the Commission on Status of Women in 1947 was devoted to the review of a questionnaire prepared by the Secretariat on the political and economic rights of women and their educational opportunities (*Questionnaire on the Legal Status and Treatment of Women*). The results of this questionnaire, which are still coming in, are serving as a factual basis for much of the work of the Commission, particularly as regards the promotion of equal franchise and the eligibility of women for public office. The problem of equal pay for equal work for men and women held the attention not only of the Commission on the Status of Women but also of the Economic and Social Council and the International Labor Organization and will appear again on the agenda of the Eighth Session of the Council. Judged by past experience the Commission is likely to make the most of the information gathered on these and other issues of importance to women and to maintain through the Council and General Assembly its pressure upon governments to insure women equal rights. Unfortunately meetings of the Commission and the discussion of its reports to the Council are being used extensively for purposes of Communist propaganda. Thus at the Seventh Session of the Council the representatives of the "iron curtain" countries had much to say of the small number of American women in public posts and legislative bodies. To listen to their speeches one would have thought that the United States was one of the most backward countries in safe-

guarding the rights of women. Those endowed with some sense of humor could not help noticing, in the midst of Soviet tirades on the subject at the Seventh Session, that the U.S.S.R. did not have a single woman as adviser in its delegation whereas the United States had no less than three.

Other Publications

To complete the picture of fact-finding in the social field, mention must be made of the decision of the Economic and Social Council authorizing the Secretariat to bring out a periodical on narcotic drugs.

Furthermore, the first issue of a *Yearbook on Human Rights* was presented to the Seventh Session of the Council. This yearbook is packed with facts regarding provisions on human rights in the various national constitutions, ordinary laws, and international treaties, to which the Human Rights Commission proposes to add in next year's edition appropriate court decisions.

From the foregoing, it is indeed evident that under the guidance of the Economic and Social Council the United Nations has become an important fact-finding institution and that the facts once ascertained are increasingly becoming a basis for constructive action.

Action

Those who look for sensational "action" on the part of the Council itself overlook the fact that under the Charter the powers of the Council are essentially recommendatory. Implementation of the recommendations of the Council lies essentially with governments and specialized agencies such as the IRO, the ICAO, or the International Bank. Nevertheless, the Council and the General Assembly have authorized direct action by the Secretariat or by some of the subsidiary bodies of the Council in a number of cases, particularly in the social-welfare field, where no specialized agency exists.

Social Welfare

One of the first action programs thus authorized is the program of advisory social-welfare services, established by resolution of the General Assembly in 1947 and continued upon Ecosoc recommendation in 1948. The Third Regular Session of the General Assembly in the fall of 1948, again following a recommendation made by the Economic and Social Council in its Seventh Ses-

sion, decided to continue the program in 1949. It includes provision of social-welfare experts to countries developing their social-welfare services (30 experts made available to 12 countries in 1948); training fellowships in the social-welfare field (128 from 18 countries in 1948, of whom approximately 50 percent selected the United States as their country of training); provision of demonstration equipment for the treatment of the disabled (prosthetic appliances); exchange of films and social-welfare literature; and regional seminars in selected areas.

ICEF

The International Children's Emergency Fund (ICEF) has carried on an active program, which was authorized by the General Assembly in December 1946, and the operation of which started in November 1947. Since then more than 65 million dollars have been committed by the Fund for its work. In the course of the Seventh Session the Economic and Social Council urged the continuation of the work of the Fund for another year and larger support for it. The General Assembly endorsed this recommendation and the Fund has budgeted 78 million dollars for its work in 1949. At present supplementary meals are being served to some 4,500,000 children in 12 European countries and in China. In cooperation with the World Health Organization, it is actively pushing forward a BCG (TB) vaccination campaign, which is reaching tens of millions of children in Europe and is being extended to other parts of the world.

The major part of the funds available for this work are derived from voluntary government contributions, the United States having given almost 42 million dollars of the approximately 68 million contributed or pledged by governments. Additional funds have been secured through the United Nations Appeal for Children. Although successful in many parts of the world, this appeal did not yield any substantial results in the United States, where it was grafted onto the American Overseas Aid Campaign sponsored by American voluntary organizations which long before the establishment of UNAC had been contributing hundreds of millions of dollars to relief purposes abroad. The Economic and Social Council recommended that UNAC should not be continued in 1949. This recommendation was modified by the General Assembly, which eliminated a separate

promotional unit in the United Nations Secretariat, but decided to continue the appeal on a more clearly defined and restricted basis, making it mandatory that all funds collected as a result of the appeal should be turned over to the International Children's Emergency Fund. In the first year of its existence the yields of the appeal had been handed over to a variety of organizations or had been used for purposes of national child welfare in the countries raising the money.

Narcotic Drugs

The most effective action program, operating through a system of import certificates and export authorizations, was continued on in the control of the traffic of narcotic drugs. This system was taken over from the League of Nations and tightened by the Commission on Narcotic Drugs operating in conjunction with the Permanent Central Opium Board, the Supervisory Body, and a most efficient division in the United Nations Secretariat. The Economic and Social Council in its Seventh Session recommended to the General Assembly favorable action on a new protocol bringing under international control drugs outside the scope of the 1931 convention, including particularly new synthetic drugs. This proposal was adopted unanimously by the General Assembly. The Commission on Narcotic Drugs is also laying the groundwork for the drafting of a single convention on narcotic drugs to replace the several international instruments relating to drug control currently in force. In a further attempt to fight the pernicious use of narcotics, the Council also decided to send a Commission of Inquiry to Peru to study the effects of the chewing of coca leaf and possibilities of limiting the production and controlling the distribution of the leaf.

Expert Assistance

Few similarly striking examples of action programs can be given in the economic field, the reason being that economic action is largely carried forward through such specialized agencies as the International Bank for Reconstruction and Development or the Food and Agriculture Organization. The Council's activities in this respect are largely confined to coordination, of which more will be said later. One significant exception is the program of technical assistance which got under way in 1948. As pointed out, there is a growing recog-

nition of the importance of rendering expert assistance under international auspices to underdeveloped countries. By resolution of March 28, 1947, the Economic and Social Council had instructed the Secretary-General to establish machinery within the Secretariat to organize such expert assistance, including assistance to member governments in obtaining information on expert personnel, the elaboration of plans and programs for the most efficient utilization of such personnel, and the recruiting of teams of experts to be sent to countries seeking their advice. In the implementation of this resolution one such team composed of experts supplied by the United Nations Secretariat and several specialized agencies was sent to Haiti in the fall of 1948 to study economic conditions and to make recommendations thereon. The General Assembly, at its Third Session in Paris, went one step further and authorized funds for three such missions for 1949.

Closely related to this problem of technical assistance are technical training schemes designed to improve technical know-how in underdeveloped countries. In this field the International Labor Organization is at present developing a comprehensive program, in consultation with other specialized agencies and the regional commissions, which is likely to be brought up for consideration by the Economic and Social Council at its Ninth Session.

Economic Commission for Europe

Action is also the keynote of the Economic Commission for Europe, the establishment of which was strongly favored by the United States. Although its powers are also only recommendatory, experience has shown that its recommendations have been highly effective. The Commission was thus able to contribute greatly to the reestablishment of inland transport in Europe; to improve substantially the allocation of coal, i.e. to make it available for such essential purposes as the production of steel rather than for less essential domestic purposes; and to break other bottlenecks in the production of steel and fertilizers to mention only a few of its achievements. The Economic and Social Council in its Seventh Session, after having rejected the anti-American Russian motion mentioned, put its seal of approval upon the creation of an *Ad Hoc* Committee on Industrial Development and Foreign Trade within the ECE. At the

same time the Council expressed the hope that "this work will lead to an increase of industrial and agricultural production in Europe, particularly in those of the countries concerned in which natural resources and manpower reserves are as yet not fully utilized, and result in an expansion of inter-European trade such as to facilitate increased and better-balanced trade with the other continents". This resolution was passed unanimously, and there was a strong feeling in the Council that if properly implemented it would help in developing East-West economic relations in Europe without interfering with the ERP program. Such development might actually supplement the recovery program.

Other Economic Action

The action programs of the Economic Commission for Asia and the Far East and of the Economic Commission for Latin America are not so nearly developed and may never reach in scope and intensity the European action program which is dictated by the urgent and immediate needs of reconstruction. The Council did, however, over United States opposition, agree to the establishment of a Bureau of Flood Control under the Economic Commission for Asia and the Far East. That opposition was, of course, not directed against any efforts at flood control in the Far East but was motivated by the desire to avoid overorganization, it being felt that the necessary work could be done by the Secretariats of ECAFE and the FAO. Both ECAFE and ECLA are planning for early expert meetings on matters of inland transport. ECLA operates in a field which is well covered by a number of inter-American agencies, such as the Inter-American Economic and Social Council. The necessary measures of coordination will obviously take some time.

Looking toward future action in the field of conservation the American-sponsored plan for a Scientific Conference on Conservation and Utilization of Resources was considered both at the Sixth and Seventh Sessions of the Council. It was agreed that the conference should be held in May or June 1949 and that it should limit itself to an exchange of experience in the techniques of conservation and the utilization of resources, a matter of paramount importance in a world which in so many cases has been reckless in the utilization of its resources.

The Transport and Communications Commission, which held its Second Session in Geneva in April 1948, concluded that the world-wide conventions of 1926 on road and motor transport were obsolete and proposed the calling of a conference of governments with the object of concluding a new world-wide convention on road and motor transport. This proposal was adopted by the Council, which requested that the 1931 convention on road signals be included in the review. The conference is to be held in 1949. The Commission furthermore, with the approval of the Council, urged member governments to reduce, simplify, and unify passport and frontier formalities to the extent consistent with national security. Special attention was given the coordination of activities in the fields of aviation, shipping, and telecommunications with respect to safety of life at sea and in the air. Finally, the Commission mapped out a program for the improvement of transport statistics. Concrete action in these fields rests, of course, largely with the appropriate specialized agencies, i.e. ICAO, ITU and UPU, to which is soon to be added the International Maritime Consultative Organization. The constitution of this organization was drafted at a special conference called by the Economic and Social Council and held early in 1948.

Yugoslav Gold

There remains one other item worthy of mention in this section. Yugoslavia placed upon the agenda of the Sixth Session of the Council an item requesting action regarding the return of the Yugoslav gold which had been entrusted to the United States Government for safekeeping during the war. The return of this gold had been delayed because of the refusal of the Yugoslav Government to arrive at a settlement of American claims in Yugoslavia. The Council reached the decision that it had no competence to deal with the juridical issues involved. The point of view of the United States was thus upheld that the Council was not qualified to act as an arbitral tribunal, a conciliation agency, or court. The issue between the two governments was subsequently resolved by direct negotiations between the two governments concerned.

Coordination

In turning to the achievements of the Council in the field of coordination, it is difficult to resist

the temptation to highlight the activities of the specialized agencies: to bring to the fore the outstanding work accomplished by the International Civil Aviation Organization in establishing uniform world standards essential to safe and efficient international air travel; or, to review the work of the International Telecommunications Union in establishing internationally agreed regulations governing the use of radio, telegraph, and telephone services, and including the allocation of frequencies; or, to recall the attainments of the International Bank for Reconstruction and Development or the International Monetary Fund, both of which have extended credits of approximately 600 million dollars each to member countries for purposes of reconstruction and development or currency stabilization; or, to dwell upon the outstanding services of the World Health Organization in stamping out the cholera epidemic in Egypt or in attacking man-killing diseases such as malaria, tuberculosis, or venereal disease. For lack of space this temptation has to be resisted although it is essential to realize that in spite of their autonomy these agencies are part of the United Nations effort to assure the well-being of people everywhere.

Administrative Committee

In carrying out its special responsibilities under article 63 of the Charter for the coordination of the activities of the specialized agencies, the Council made substantial headway in 1948. Coordination has to be achieved both in administrative and substantive, or program, matters. Coordination in the administrative matters is largely centered in the Administrative Committee on Coordination, authorized in 1947 and composed of the Secretary-General of the United Nations and of the chief executive officers of the specialized agencies. Originally this Committee was set up to deal with such problems as common personnel policies; administrative and general services, including libraries; and information policies. During 1948 the Committee showed a tendency to concern itself with program coordination, a tendency which is not surprising in a Committee composed of top officers of the Secretariats of the United Nations and the specialized agencies. Nor is this tendency undesirable as long as it is recognized that final responsibility for sub-

stantive matters rests with the Economic and Social Council itself.

Cooperation in the Specialized Agencies

In its Sixth Session the Council devoted a great deal of time to the elaboration of a set of resolutions outlining the nature of reports which it expected to receive from the specialized agencies. It also requested the Secretary-General to produce a *Comparative Review of the Activities and Work Programs of the United Nations in the Economic and Social Fields*. This review was submitted to the Seventh Session of the Council and gives an excellent picture of activities and work programs as of the middle of 1948.

In this same session the Council for the first time had before it an almost complete set of reports from the specialized agencies. The review of these reports revealed that in spite of the complicated pattern of organizations now in existence there is very little overlapping in their activities and therefore very little waste of effort and money.

Most promising of all is the growing emphasis, both within the Council and within the specialized agencies, not only on coordination of activities but on increasingly joint action. The best existing example of this new emphasis is found in the measures taken to meet the continuing world food crisis. This matter was originally raised during the Sixth Session of the Council by the Food and Agriculture Organization, which pointed out that any solution of the food crisis required the cooperation of several of the specialized agencies as well as the regional commissions. The Council invited such cooperation on the part of these bodies to study suitable measures to increase food production by the elimination of the shortage of materials directly or indirectly affecting the production of fertilizers, agricultural machinery, and the availability of transport. This invitation did not go unheeded. Thus the International Labor Organization is now giving special attention to manpower problems and the training of technically qualified personnel. The question of supply shortages is being considered by regional commissions, particularly the ECE. The World Health Organization is concentrating some of its best efforts on the fight against malaria in regions where food production is suffering seriously from lowered output due to the heavy incidence of malaria.

Similar joint action was contemplated in the discussion by the Council of the housing problem. The more or less mechanical coordination of activities and the avoidance of overlaps is therefore being replaced by the initiation of positive joint attacks on some of the most critical economic problems of the contemporary world.

Going beyond the specialized agencies, the Council also initiated a study of other intergovernmental organizations in the economic, social, cultural, educational, health, and related fields with a view to achieving some reduction in the number of such organizations in order to avoid overlapping and to diminish governmental expenditure. This study is being undertaken in answer to a request by the United States and will, it is hoped, result both in a simplification of international machinery and in considerable savings.

The Future

In the light of all that has gone before, the achievements of the Council have indeed been remarkable, particularly when full account is taken of the difficulties under which it is operating. The Council is well launched, and barring a major international crisis threatening the very existence of the United Nations, it is bound to become an increasingly effective organ in improving economic and social standards throughout the world. At the same time, and as we look to the future, certain awkward and difficult problems have to be faced squarely. Only a few of them can be listed here.

First and most important, every effort must be made to put an end to the abuse of the Council for purely political purposes. There is need for more cooperation and less propaganda. It should be possible to improve the present situation, at least somewhat, by way of more or less mechanical devices such as amendments to the rules of procedure which would eliminate filibusters and make discussions more pertinent to the matters under consideration. In the same way attempts have to be made to avoid so far as possible some of the stages which most proposals usually must pass. The repeated reviews of the same question first in a commission, then in the full Council, then in a committee of the Council, then in the full Council again, and finally possibly by the General Assembly, are extremely time consuming and frequently

result only in the repetition of shopworn arguments.

The Committee on Procedures of the Council will meet in January 1949 to work on these very problems. Notwithstanding the results of the Committee's work it has to be recognized that mechanical devices will be little more than palliatives. Effective cooperation among all the members of the Council which would result in more effective operations of the Council itself is contingent upon the settlement of pending political issues in the world. Without accepting the Soviet view of the primacy of politics it is nevertheless true that a minimum of political cooperation is essential to the effective improvement of economic and social relations. It is a fallacy to think that a peaceful, prosperous world depends primarily on the economists and social workers. It is not their job to make the peace. Their task is to give content and substance to an established peace and to strengthen its foundations.

Other minor improvements could be made in the operations of the Council in the light of past experience. Thus it would appear that the Council composed of 18 members is not the appropriate body to give the final polish to international conventions, such as the conventions on freedom of information, drafted by a much larger intergovernmental conference. It is doubtful also whether the General Assembly is the proper body for the final review of such conventions since the Assembly is essentially a political body. Conventions might possibly be initiated by the Council or the General Assembly, leaving the preparation of drafts to special drafting committees composed of experts and appointed by the Council. Their work would be submitted for final action to an intergovernmental conference. This procedure would certainly reduce opportunities for obstruction and filibustering tactics.

In the future the number of meetings—not of the Council itself, which is overburdened with work, but of various subsidiary bodies of the Council and, perhaps, of the specialized agencies—could conveniently be reduced. During recent years the number of international meetings has increased so rapidly that smaller countries find it increasingly difficult to participate in them. Fewer meetings might make for more high-level representation and greater concentration on paramount issues. In this connection the membership

on the Economic and Social Council and its various commissions should not become the vested interest of a limited number of countries. Because of reelections only 26 countries out of 58 members of the United Nations have so far had an opportunity of serving on the Council.

Finally, ways and means will have to be found to give real meaning to the consultative relations established with some 70 nongovernmental organizations under article 71 of the Charter. This article was written into the Charter at United States initiative. It reflects the conviction that the United Nations is an organization not merely of governments but also of the peoples of the world. For the implementation of this article detailed arrangements have been worked out by the Council which are being changed at almost every meeting of the Council. This whole system is still in an experimental stage. Some of the organizations brought into relationship have made real contributions to the Council by way of constructive suggestions, particularly on the commission level. They and others have done much to bring about a better understanding of Council activities.

Unfortunately, however, a fair proportion of the organizations appear to have been interested primarily in getting on the list of consultative organizations and have since remained inactive. Others have flooded the Council with requests for special privileges, such as the demand to sit with the Council and to participate, without vote, in all of its activities, a privilege not even accorded

to governments not members of the Council. These organizations seem to be more interested in their own standing and prestige than in the work of the Council. This situation is not improved by the fact that these same organizations have urged upon the Council the discussion of essentially political topics designed to cause dissension rather than cooperation among the members of the Council. Where they succeeded in having such items put on the agenda of the Council, they frequently failed to produce any supporting documentation, thus delaying the work of the Council. These are regrettable developments. Enlightened public support for the work of the Council is essential and the Council will always be ready to act upon constructive suggestions made by nongovernmental organizations. How to secure such support and how to utilize to the full the great contributions which nongovernmental organizations can make to the Council is a matter which requires urgent review.

One word in conclusion. Looking at the desperate economic needs of the present-day world and considering the social strains and stresses within the fabric of contemporary society, it is evident that no one body is adequate to deal with these acute needs, these strains and stresses. What is needed is concerted action on the part of all international organizations, governmental and nongovernmental. To initiate and develop such action remains the primary task of the Economic and Social Council. The record of the year 1948 holds out fair promise for the future of the Council and the achievement of its essential tasks.

RELATED ECOSOC DOCUMENTS¹

Resolutions adopted by the Economic and Social Council during its Sixth Session from 2 February to 11 March 1948. E/777, March 12, 1948. 48 pp., printed.

Resolutions adopted by the Economic and Social Council during its Seventh Session from 19 July to 29 August 1948. E/1065, August 30, 1948. 79 pp., printed.

Report of the Economic and Social Council to the General Assembly, covering the period from 18 August 1947 to 29 August 1948. A/625-Supplement No. 3, September 1948. 87 pp., printed.

Annual Report of the Secretary-General on the Work of the Organization, pp. 46-88. A/565-Supplement No. 1. 135 pp., printed.

¹ Printed materials may be secured in the United States from the International Documents Service, Columbia University Press, 2960 Broadway, New York City.

United Nations Action on Human Rights in 1948

BY JAMES SIMSARIAN¹

United Nations action in the field of human rights is crystallizing on several fronts. The Universal Declaration of Human Rights was approved by the General Assembly in Paris on December 10 as a statement of principles to serve as a common standard of achievement for all peoples and all nations in order that the rights and freedoms enumerated in the Declaration might by progressive measures be gradually secured for all.² The Declaration is not in the form of a treaty or international agreement and accordingly it does not purport to be a statement of law or of a legal obligation. But the principles set forth in the Declaration will no doubt have considerable moral persuasive influence in the world.

The next step in the field of human rights will be the completion of the drafting of an international covenant on human rights in treaty form at the meeting of the United Nations Human Rights Commission at Lake Success scheduled for April 1949. This covenant, legally binding on the countries which ratify it, is expected to set forth certain basic civil rights typical of those included in the first nine amendments to the United States Constitution.

In addition to the Covenant on Human Rights, three conventions in the field of freedom of information are being developed in the United Nations. One was initially sponsored by the United States, another by the United Kingdom, and the third by France at the Conference on Freedom of Information held in Geneva in March 1948. These conventions are also in treaty form and will be legally binding on the countries which ratify them. They will be considered further by the General Assembly of the United Nations when it reconvenes at Lake Success in April 1949.

Another outstanding development in the field

¹ An address delivered before the American Political Science Association at Chicago, Ill., on Dec. 28, 1948. Mr. Simsarian, Acting Chief, Division of United Nations Economic and Social Affairs, Department of State, was Adviser to the U.S. Representative at the Third Session of the U.N. Commission on Human Rights.

² For text of the Declaration, see *BULLETIN* of Dec. 19, 1948, p. 752.

of human rights was the approval of the genocide convention by the General Assembly in Paris and the signing of the convention by the Representatives of the United States and 19 other countries on December 11. This convention outlaws genocide as a crime under international law, whether committed in time of peace or of war, and the states which ratify the convention undertake to prevent and to punish this crime. The crime of genocide is defined in the convention to mean an act which is committed with the intent of destroying, in whole or in part, a national, ethnical, racial, or religious group as such.

A number of basic provisions in the U.N. Charter authorize action in the field of human rights in the various organs of the United Nations. In the preamble of the Charter there is a reaffirmation of faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small. There is in addition the stated determination to promote social progress and better standards of life and larger freedom. Under articles 55 and 56 of the Charter, the members of the United Nations pledge themselves to take joint and separate action in cooperation with the United Nations for the promotion of universal respect for and observance of human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.

Provision of the Declaration

The Declaration of Human Rights was initially drafted in the United Nations Commission on Human Rights over a period of two years of meetings under the able leadership of Mrs. Franklin D. Roosevelt, who is the United States Representative and Chairman of that Commission. The Declaration, as approved by the General Assembly, sets forth civil, political, economic, and social rights and freedoms. All of these are well known—the right to life, liberty and security of person, freedom from slavery, torture, cruel, inhuman or degrading treatment or punishment, freedom from arbitrary arrest, detention or exile,

Department of State Bulletin

right to a fair and public hearing by an independent and impartial tribunal, presumption of innocence, protection against *ex post facto* laws, freedom from arbitrary interference with one's privacy, family, home or correspondence, freedom to leave any country, freedom of movement and residence, right of asylum from persecution, equal rights as to marriage, right to own property, freedom of religion, expression, assembly, association, right of people to have their will serve as the basis of the authority of government, right to work, right to join trade-unions, right to rest and leisure, right to social security, right to education, right to participate in the cultural life of the community, right to equality before the law and freedom from discrimination. According to the Declaration, all of these rights and freedoms shall be subject to only such limitations as are prescribed by law for the purpose of securing due recognition or respect for the rights and freedom of others and meeting requirements of morality, public order, and general welfare in a democratic society.

The Covenant on Human Rights

The draft Covenant on Human Rights, as I pointed out earlier, is concerned with only certain basic civil rights, with the expectation that conventions will be drafted later with respect to certain of the other rights set forth in the Declaration. The present draft of the Covenant has the following civil rights enumerated—the right to life and liberty, freedom from slavery, forced labor, torture, cruel or inhuman punishment or indignity, freedom from arbitrary arrest or detention, right to a fair and public hearing by an independent and impartial tribunal, protection against *ex post facto* laws, freedom of movement and residence, freedom to leave any country, freedom of religion, expression, assembly, association, right to equality before the law with respect to these rights and freedoms so that none of them is denied to any one on account of race, color, sex, language, religion, political or other opinion, property status, or national or social origin.

After the Commission on Human Rights completes the drafting of the Covenant, it will be forwarded to the Economic and Social Council for its consideration and then to the General Assembly for its approval.

January 2, 1949

Support of U.S. Delegation

Secretary of State Marshall, in his speech at the opening session of the General Assembly in September, hailed "the approval of a new declaration of human rights for free men in a free world". He pointed out that—

"Systematic and deliberate denials of basic human rights lie at the root of most of our troubles and threaten the work of the United Nations. It is not only fundamentally wrong that millions of men and women live in daily terror of secret police, subject to seizure, imprisonment, or forced labor without just cause and without fair trial, but these wrongs have repercussions in the community of nations. Governments which systematically disregard the rights of their own people are not likely to respect the rights of other nations and other people and are likely to seek their objectives by coercion and force in the international field."

The Secretary called on the General Assembly to "approve by an overwhelming majority the Declaration of Human Rights as a standard of conduct for all".

John Foster Dulles, member of the United States Delegation to the General Assembly, in a speech in Paris a few days later, said with reference to the Declaration of Human Rights:

"I hope and believe this Assembly will endorse this Declaration. But we must not stop there. We must go on with the drafting of a Covenant which will seek to translate human rights into law. It does not minimize the importance of our own Declaration of Independence to recognize that the Constitution and its Bill of Rights were required to establish the body of law necessary to achieve practical results. So with the Declaration before the Assembly. It is an important proclamation of principles and should be approved. But that approval is only a step toward fulfilling the faith in fundamental human rights, in the dignity and worth of the human person and the pledge to practice tolerance that is contained in the Preamble of the United Nations Charter."

Obstructions by U.S.S.R.

In contrast to the affirmative support consistently given by members of United States Delegations to the United Nations in the field of human

rights, Soviet Representatives have sought again and again to obstruct and negate steps toward a universal respect for human rights and fundamental freedoms undertaken in the United Nations. But fortunately, Soviet representatives have been defeated again and again in their negative tactics, with only the five Soviet satellites consistently supporting them—Byelorussia, the Ukraine, Czechoslovakia, Poland, and Yugoslavia.

For example, the Commission on Human Rights rejected 25 different amendments to various articles of the Declaration of Human Rights that the Soviet Union proposed. When the Declaration was considered in the General Assembly, the Soviet Delegation submitted these rejected amendments. The General Assembly rejected practically all of them. The Soviet bloc did not vote in favor of the Declaration in the Commission nor in the General Assembly. At the last moment the Soviet Delegation to the General Assembly sought to secure the postponement of consideration of the Declaration until the General Assembly session in September 1949. But only the six members of the Soviet bloc voted for this proposal. It was, accordingly, overwhelmingly defeated, and the General Assembly proceeded with the approval of the Declaration.

Soviet Amendments

A brief review of some of the Soviet amendments to the Declaration rejected by both the Commission on Human Rights and the General Assembly will make clear why they were rejected. One of these was a proposal to amend article 13 of the Declaration. This is the article which provides that "Everyone has the right to freedom of movement and residence within the borders of each state." The Soviet Delegation urged that this right should be modified so that the right could be exercised only "in accordance with the laws of" the particular state in which a person happens to be. This proposal was rejected with the observation that the acceptance of the Soviet amendment would completely negate the right expressed in the article.

The Soviet proposal that the right to own property should be subject to whatever laws may be enacted by the country in which the property is located was also rejected by the Commission on Human Rights and the General Assembly for the same reason.

Another Soviet amendment which was rejected in both the Commission on Human Rights and the General Assembly proposed to limit the right to freedom of opinion and expression. The Soviet Delegation felt that express provision should be made that "Freedom of speech and the press shall not be used for purposes of propagating Fascism, aggression, and for provoking hatred between nations." The United States of course is also against Fascism, aggression, or any increase in hatred between nations. But should freedom of speech and the press be limited for this reason? When a similar question was raised in the United Nations Economic and Social Council in August 1948, Assistant Secretary of State Thorp pointed out that—

"We are convinced that without access to unfettered news, the people in any country cannot carry out their democratic functions as an informed body of citizens. We are convinced that without a free flow of information between countries, the development of stable international understanding is impossible. We are not afraid of so-called false and slanderous information which may at times find its way into the columns of a free press. We are not afraid of it because we believe in the dignity, capacity and worth of man. We believe in his judgment and innate intelligence, and we are certain that we can trust in his judgment based upon information and opinion of all kinds freely presented and freely received. This is the fundamental protection of the true democracy, where every effort is made to reduce the power of a few, either in private or public life, and to rely to the fullest degree possible upon the broad judgment and participation by all the people.

"By contrast, in nations where information is state-controlled and censorship rules, a few government officials have the power to lead their people down the road to misunderstanding and even war, between the walls of contrived ignorance and distorted propaganda. The power of the state is such that there is no protection. Only the opinion of the few and facts selected by the few are presented to the people. The essence of the centralized approach to information is not freedom, but control. The few who control from their political seats are inevitably afraid of letting their people know what other people think about their

governments; afraid to let them form an unbiased judgment about other nations and their institutions; afraid of the fresh breeze of free argument and criticism. Here the power of the few is complete. Censorship and control are in their hands; in such circumstances, there is no protection of the many against the few. That is why freedom of information is so basic to the whole notion of human rights and of responsible citizenship, national and international."

Consideration by General Assembly

When the General Assembly turned to the consideration of the article in the Declaration providing that the will of the people shall be the basis of the authority of Government, Colombia and Costa Rica jointly proposed that this article should expressly provide that everyone should have the right to oppose the government of his country and to promote its replacement by legal means with equality of electoral opportunities and of access to means of propaganda. This proposal was not accepted principally because it was felt by a number of delegates that the phraseology of the article already implied this right. The Soviet Delegate, however, pointed out that he would vote against its inclusion for a different reason. He recalled that it was because Hitler and Mussolini had been allowed to oppose their Governments that they had eventually been able to come to power. He therefore hesitated, he explained, to accept the amendment, for it might, he added, provide the possibility for Fascist elements to overthrow the government.

The Belgian Delegate proposed that express provision be made in the Declaration not only for a secret ballot but also for several lists of candidates to be submitted for offices, because, he pointed out, the essence of the democratic system was the electoral competition between political parties. He felt that in the absence of a guaranty of competition based on the existence of several lists of candidates, the whole democratic character of free, equal, periodical, and secret elections might be distorted. The Byelorussian and Soviet Delegates strenuously objected to the proposal. The Soviet Delegate said that the bourgeois class had ceased to exist in his country. He pointed out that there thus remained only workers and peasants, and the Communist Party by itself was capable of looking after their interests.

In drafting of the economic and social rights, the Soviet Delegate repeatedly urged that they be stated as obligations of the state and society. For example, he proposed that express provision should be made that "The State and society shall guarantee" the right to protection against unemployment "by measures calculated to provide everyone with the broadest opportunities for taking part in useful work, and to prevent unemployment." He also proposed that the Declaration expressly provide that "It is the duty of the State and society to take all necessary steps, including legislation, to insure that everyone has a real opportunity to enjoy . . . the right to medical care and assistance in the case of illness" and "the right to decent housing."

The Commission on Human Rights, however, felt that the rights enumerated in the Declaration should not be stated as the sole obligations of the state. The Commission thought that the Declaration should state the rights of individuals without a detailed elaboration of the manner in which they are to be achieved. The General Assembly agreed with this view and accordingly rejected the Soviet amendments. Where it is felt that provision for the implementation of certain rights should be provided it is expected that separate treaties will be drafted, and these treaties will be binding on the states which ratify them.

The United States made it clear in the course of the development of the Declaration that it does not consider that the economic and social and cultural rights stated in the Declaration call upon governments to assure the enjoyment of these rights by direct governmental action. Article 22 of the Declaration recognizes that the realization of economic, social, and cultural rights must be in accordance with the organization as well as the resources of each state.

Soviet Action on the Covenant

In the consideration of the Covenant on Human Rights in the Drafting Committee of the Commission at Lake Success in May 1948, the Soviet Union proposed restrictive amendments to that document also. Again the Soviet Delegate proposed that the right of everyone to freedom of movement and residence within the borders of a state should be "subject to the laws of his own country." He again proposed that the right to freedom of opinion and expression should be lim-

THE UNITED NATIONS AND SPECIALIZED AGENCIES

ited. When the Covenant on Human Rights is reviewed by the Commission on Human Rights at its next session, these Soviet amendments will doubtless be considered again.

Adoption of Genocide Convention

In the case of the genocide convention, the Soviet Delegation abstained from voting in favor of it in the Sixth Committee of the General Assembly but joined in the plenary session with other delegations in the unanimous vote for it. Of the 20 countries which signed this convention following its approval by the General Assembly, only one member of the Soviet bloc participated—Yugoslavia. The signing of the genocide convention is subject to ratification by each country. The convention will be binding only on countries which ratify it.

Freedom of Information Conventions

In the case of the three freedom-of-information conventions, the Soviet Delegation to the General Assembly session in Paris sought to secure the postponement of the consideration of two of these conventions until the September 1949 session of the General Assembly. Instead of accepting this proposal, however, the General Assembly decided to consider all three conventions when it reconvenes at Lake Success in April.

When the freedom-of-information conventions initially proposed by the United States and the United Kingdom were considered at the Conference on Freedom of Information held in Geneva in March 1948, only the Soviet bloc voted against the approval of these conventions—the U.S.S.R., the Ukraine, Byelorussia, Poland, Czechoslovakia, and Yugoslavia. The convention sponsored by the United States is intended to promote the free flow of news between countries by facilitating the work of foreign correspondents, while the United Kingdom convention undertakes to provide for a recognition of broad principles of freedom of information.

Debate on Soviet Wives of Foreigners

The conflict in the field of human rights between the Soviet bloc and the democratic countries was brought out dramatically in the Sixth Committee of the General Assembly in Paris when the Chilean Delegate attacked the Soviet Union for violating fundamental human rights in preventing the

Soviet wives of foreigners from joining their husbands abroad. The Soviet Union was censured by the vote of this committee for this practice. Only the Soviet bloc voted against the Chilean indictment. The concern of the Chilean Government concerning this practice of the Soviet Union initially arose because of the refusal of the Soviet Union to permit the Soviet wife of the son of the Chilean Ambassador to Moscow to leave the U.S.S.R. with her husband. Of course this has not been an isolated case. Not only the Soviet wives of Chilean nationals have been denied the right to leave the Soviet Union to join their husbands but the Soviet wives of the nationals of many other countries, including the United States, the United Kingdom, Canada, the Netherlands, Australia, Colombia, and Uruguay, have been similarly denied the right to leave the Soviet Union. From the time of the recognition of the Soviet Government by the United States in November 1933 to the present time, only about 50 of the Soviet wives of American citizens have been permitted to leave the Soviet Union. There are now 350 Soviet wives and 65 Soviet husbands of American citizens who have applied for permission to depart from the Soviet Union without success; 97 of this group are the wives of American war veterans. On February 15, 1947, a Soviet law was adopted which stated that marriage between Soviet citizens and foreigners is prohibited. The Chilean Ambassador's son was married prior to the passage of this law as were also the Soviet wives and husbands of American citizens whom I mentioned. Although repeated representations have been made by the United States Government to the Soviet Government for permission to enable the Soviet wives and husbands of Americans to leave the Soviet Union to join their spouses abroad, the Soviet Government has been adamant in refusing to permit them to leave.

Shortcomings in the U.S.

In conclusion, I wish to give due recognition to our own shortcomings in the United States. We all know that we in this country are far from perfect in our own recognition of human rights. There are many shortcomings in the respect we accord to human rights, just as there are many shortcomings in other countries. We publish our shortcomings in the headlines of our newspapers and are proud of the fact that we are prepared to

face them and to try to overcome them. Vigorous self-criticism is basic to our democracy. The report of the President's Committee on Civil Rights is illustrative. It did not undertake to list the advances made in the field of civil rights in this country; it pointed out the ways in which we should continue to improve conditions in the United States.

But in this zealous effort, commendable as it is, to see the bad side of our record, we sometimes forget that there is an increasing respect for human rights in this country that is indeed heartening. In fact, there has been a steady march of progress along this road, year by year, generation by generation. Naturally we all wish to continue along this road, steadily promoting a universal respect for human rights. It is in contrast to this steadily increasing respect being accorded to human rights in this country and in other democratic countries that the repressive practices in the Soviet Union and her satellites stand out in shocking and tragic form. As discussions in the field of human rights continue in the United Nations, we observe more and more clearly that the denial of human rights in the Soviet Union is being reflected in the positions being taken by the Delegates of the Soviet Union as they undertake to participate in the formulation of a Declaration of Human Rights, a Covenant on Human Rights, conventions concerning freedom of information, and a genocide convention. The practices of the Soviet Union were brought out clearly in the Sixth Committee of the General Assembly when the Delegate of Chile pointed to the refusal of the Soviet Union to permit Soviet wives to join their husbands abroad. The tactics of Soviet Delegates in trying

to obstruct and negate efforts toward the promotion of respect for human rights in the Commission on Human Rights, in the Economic and Social Council, and in the General Assembly and at other international conferences merely mirror the restrictions and limitations on human rights and freedoms existing within the Soviet Union itself.

Moral Leadership of Free Nations

As the totalitarian states seek to write into international agreements in the field of human rights the restrictive and repressive tactics practiced in their own countries, the United States and other members of the United Nations with free people must continue to stand firm. They must make it clear time and time again to the totalitarian states that countries with free people cannot compromise with the principles of human rights and fundamental freedoms. These free nations must maintain their moral leadership in the United Nations, so that there will be no misunderstanding on the part of the totalitarian states. At the same time the United States must join with these other free nations in showing the world that in this country as well as in other free nations we are indeed moving along the road to increasing respect for human rights and freedoms and that although we have not reached our objectives as yet, we are pressing ahead in that direction. Perhaps if all the free nations of the world join together in a concerted drive towards increasing respect for human rights and freedoms in their own countries as well as in other countries, the few men who direct the fate of totalitarian states in the world today may finally realize that they too must accord some measure of freedom to their people.

Current United Nations Documents: A Selected Bibliography¹

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Fifth Committee. Administrative and Budgetary Questions. Summary Record of Meetings, 16 September-18 November 1947. xxii, 500 pp. printed. \$5.00.

¹ Printed materials may be secured in the United States from the International Documents Service, Columbia University Press, 2960 Broadway, New York City. Other materials (mimeographed or processed documents) may be consulted at certain designated libraries in the United States.

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—Information Annex IV to Budget Estimates for the Financial Year 1949. Supplement No. 5a. (A/556/Add.1). 17 pp. printed. 25¢.

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(Continued on page 27)

Discussion in the Security Council of the Indonesian Situation

STATEMENT BY PHILIP C. JESSUP¹

Deputy U.S. Representative in the Security Council

My Government took the initiative in requesting an emergency meeting of the Security Council so the Council might take prompt and forthright action in dealing with the dangerous situation which has developed in Indonesia.

At the outset, Mr. President, I consider it necessary to state that my Government's position in this matter is basically what it was in July and August of 1947, when the Council was previously confronted with an outbreak of hostilities in Indonesia.

After the outbreak of hostilities in July 1947, the Security Council adopted on August 1, 1947, the following resolution²:

"The Security Council

"NOTING WITH CONCERN the hostilities in progress between the armed forces of the Netherlands and the Republic of Indonesia,

"Calls upon the parties

"(A) To cease hostilities forthwith and

"(B) To settle their disputes by arbitration or by other peaceful means and keep the Security Council informed about the progress of the settlement."

At the 193d meeting of the Security Council on August 22, 1947, the United States Representative stated, and I quote:

"My Government believes that the Security Council acted properly and in entire conformity with the Charter in calling upon the parties to cease hostilities. We consider that paragraph (A) of the Council's resolution of August 1, 1947, so far as the Charter is concerned, is a provisional measure under article 40. This decision, in our view was properly taken, without prejudice to the contentions of the parties, in respect to whether the Indonesian Republic is an independent state under international law.

"In our view, the Council's jurisdiction rested in the fact that large-scale hostilities were being carried on in Indonesia, the repercussions of which were so serious that they amounted to a threat to international peace and security.

"In the view of the United States, the Security Council has ample power to observe, if necessary,

¹ Made before the Security Council in Paris on Dec. 22, 1948, and released to the press on the same date.

² U.N. doc. S/459, Aug. 1, 1947.

³ See *Work of the United Nations Good Offices Committee in Indonesia* (Department of State publication 3108), p. 334.

⁴ U.N. doc. S/1085, Nov. 15, 1948.

its own cease-fire order and to make certain that new hostilities do not break out which would threaten international peace and security.

"It is hardly necessary for me to emphasize the seriousness with which my Government would view a failure by the parties to comply with the Council's cease-fire order. Of course, in such an event, the Council would, under article 40, have to take such failure into account in considering further action."

The United States Government considers that the Council today is faced with at least as grave a situation as that of August 1947, and we believe that the Council must act accordingly.

This is not a situation, Mr. President, where there can be any uncertainty as to whether there has been a breakdown of a truce agreement. Indeed, the Government of the Netherlands has quite formally and officially announced that it has renounced the truce agreement it signed with the Government of the Republic of Indonesia on January 17, 1948.³ The armed forces of the Netherlands have in fact crossed the *status quo* line established under the truce agreement and are at this very moment carrying out military operations within Republican-controlled territory. It follows from this that the Council need not and should not await a further report from its agency on the spot, the Good Offices Committee, before deciding to order both parties to cease hostilities immediately.

In the above connection, I invite the attention of the members of the Security Council to the telegram dated December 19, 1948, from members of the Good Offices Committee in Batavia. Paragraph 10 of the telegram reads as follows:

"The Good Offices Committee calls upon the Security Council to consider, on a basis of the utmost urgency, the outbreak of hostilities in Indonesia in violation of the Renville truce agreement signed by the Governments of the Netherlands and the Republic of Indonesia on the 17th of January 1948."

The outbreak of hostilities in Indonesia follows more than a year's attempt on the part of the Council's agency, the Good Offices Committee, to assist the Netherlands and the Republic of Indonesia to reach a negotiated settlement of their dispute.⁴

It is clear from the Committee's fourth interim

report and its subsequent telegraphic reports that the Committee has tried again and again to bring the parties together. Indeed, the efforts of the representatives on the Committee, acting both singly and collectively, even in the face of what has recently appeared to be an almost hopeless task, are, I am sure, fully appreciated by all the members of the Security Council.

Following the adoption of the Council's cease-fire resolution of the first of August 1947, the efforts of the parties to settle their dispute between themselves met with no success. Accordingly, on August 25, 1947, the Council tendered its own good offices to the parties through the committee of three members of the Council. Each party selected one; the third member was designated by the two so selected.

The Council's committee went to Indonesia in October 1947 to assist the parties directly and, on the spot, to reach a formal truce agreement and also to assist them in reaching a settlement of their political differences.

On January 17, 1948, the Governments of the Netherlands and of the Republic of Indonesia signed the Renville agreements, which established a formal truce and which laid down 18 principles as a basis for the negotiation of a final settlement of their political dispute under the auspices of the Good Offices Committee.

After various delays, negotiations for a political settlement were finally begun under the Committee's auspices in March of this year.

The Council will recall that these negotiations were suspended last June by the Netherlands, following the presentation of a plan for settling the dispute suggested by the representatives of Australia and the United States on the Committee. Later that month the Netherlands indicated its willingness to resume negotiations. However, as the Committee made clear in its fourth interim report to the Council, there have been no political negotiations under the auspices of the Committee since the end of May 1948. The introduction of that report emphasized that the long-continued delay in achieving a political settlement had had serious economic effects, had intensified both political difficulties within the Republic and political tension between the parties, and had resulted in an increasing strain on the truce with the ever-present possibility of a general breakdown.

That breakdown has now occurred. In a telegram dated December 12, the Committee reported to the Council in part as follows:

"The setting up of an interim federal government by decree of the Government of the Netherlands, which is apparently to occur before January 1, 1949, will contribute further to the opinion of the Republic that the Netherlands Government has been proceeding unilaterally to establish ultimately a United States of Indonesia on its own

terms and without the Republic. The formation of an interim federal government now without the Republic will greatly complicate a negotiated settlement of the Indonesian dispute and could create serious unrest in Indonesia.

"In the light of the statements made by the Netherlands delegation that 'negotiations under the auspices of the Committee at this stage are futile,' and that there are 'irreconcilable' positions of the parties on certain issues, the Committee does not foresee the possibility of its bringing the parties together in *bona fide* negotiations.

"The Committee has no confidence that even the presently unsatisfactory level of truce enforcement can be maintained as the possibility of political agreement becomes more remote. The Committee can see in the present situation only intensification of the factors already making for further economic deterioration, general unrest and social upheaval. Widespread hostilities involving the conflict of organized armed groups on a large scale might be the outcome."

On the other hand, let us examine the circumstances under which the Netherlands Government has seen fit to abandon the truce. These are reported to you, Mr. President, in document S/1129/Add:1, dated December 20, 1948. The Good Offices Committee was physically separated on December 18. The Chairman of the week, the Australian representative, and the Belgian representative were at Kallurang, the Republican capital, and the United States representative was at Batavia some three hours distant by air. In the middle of the night on December 18, the Netherlands Delegation handed a letter to the United States representative addressed to the chairman of the Committee. The letter stated that the truce agreement would be terminated in less than an hour's time. It went on to say that the Republican Government had been notified accordingly. But in the course of the night on which this letter was delivered to the United States representative in Batavia, telegraphic communications were cut off and permission for the Good Offices Committee aircraft to fly to the Republican capital was denied. Thus no notice of the repudiation reached the Committee as a whole and, as far as known, according to this document none reached the Republic in Jogjakarta.

In a telegram dated December 18, the Committee forwarded a letter from the United States representative on the Committee to the Acting Chairman of the Netherlands Delegation which read in part as follows:

"In the four and a half months that I have been present in Indonesia as the United States representative on the Committee of Good Offices, neither I nor any other members of the Committee have had an opportunity to participate in, or to observe

a discussion of any of these issues in the Committee of Good Offices or in the conference of the parties. Nor have we been given an opportunity to examine in any detail or in full context the opposing positions of the parties in the recent direct talks except as presented sketchily in the statements made by the two parties which are appended to the special report of the Committee of Good Offices to the Security Council of December 12."

In the light of the above record and in view of the recent events in Indonesia, my Government is unable to conclude that the Netherlands has either consistently or conscientiously endeavored to exhaust all possibilities of resuming negotiations under the Committee's auspices. This appears to us to be particularly true in the light of the fact that the truce agreement itself was, from all objective accounts, satisfactorily implemented in the beginning. As the Committee pointed out on November 26 in the introduction to its fourth interim report, however, "at the time of the signing of the truce agreement, it was expected that a political settlement would follow within a short time. The truce has now been in force for ten months. This is an extremely long period for any truce to remain effective and, in this case, the regrettable lack of progress toward a political settlement and the deterioration in the economic conditions within the Republic have subjected the truce to an ever-increasing strain. The rising number of infringements of the truce agreement during this period is testimony to the relationship between the maintenance of the truce and successful progress in political negotiations".

After carefully studying the material thus far made available by the Committee, my Government fails to find any justification for renewal of military operations in Indonesia. This is particularly true in light of the fact that there has been a resort to force following a period of seven months in which the resources of the Committee of Good Offices have not been utilized. If, as is alleged, violations of the truce agreement by the Republic have been so extensive and so persistent over a period of time, then it seems to me that the Netherlands Government should have reported these violations directly to the Security Council before renouncing the truce agreement and resorting to military action by land, sea, and air against the Republic. This is especially noteworthy in view of the assurances offered the Council by the Netherlands representative the last time the Indonesian question was before the Council, and in view of more recent assurances offered the governments represented on the Committee of Good Offices.

Article 10 of the truce agreement reads: "This agreement shall be considered binding unless one party notifies the Good Offices Committee and the other party that it considers the truce regulations

are not being observed by the other party and that this agreement should therefore be terminated."

The Netherlands Government by the letter handed to the United States representative on the Committee purported thus to notify the Committee of its abandonment of the truce a matter of minutes later with no communications available. Similarly, the Republican authorities in Batavia could not communicate with their capital and according to this report they were arrested less than two hours after receiving the notification.

This then is the notification which the Netherlands asserts it gave the Good Offices Committee and Republic of termination of the truce. The United States representative and the Australian Deputy thus concluded in their message to you, Mr. President, that "The Netherlands have not fulfilled the requirements of Article 10".

It is my understanding that the President of the Council has telegraphed the Committee to report to us fully on the most recent developments in Java and Sumatra. That report, together with the reports already received from the Committee, will be of considerable value to the Council in estimating the causes of the present situation in Indonesia. I believe, however, that we should expressly instruct the Committee to prepare a report for us which will enable us to assess ultimate responsibility for the failure of the Committee's efforts to effect a peaceful solution. I think the members of the Council have a right to know, fully and in detail, why it is that from May until December the Netherlands and the Republic did not resume negotiations under the Committee's auspices. I think we should call on the Committee expressly to assess responsibility, as between the parties, for the failure to reach a negotiated settlement. Both parties solemnly accepted the Council's tender of good offices and I think the time has now come for the Council to know how it is that this particular method of settlement, which seemed admirably suited to the circumstances, failed to produce the desired results.

Under the present circumstances in Indonesia it will doubtless take the Committee some little while to prepare a report of this nature. Meanwhile, armed conflict is taking place there. The simple, massive fact is that the Council's own order of August 1, 1947, has been contravened. This is a matter with which the Security Council must deal immediately and without awaiting any further reports from the Committee. As I said earlier, this is not a situation in which there can be any uncertainty as to whether there has in fact been an outbreak of hostilities. It seems to me that the Council is obligated under the Charter at this stage of its deliberations immediately to order a cessation of hostilities in Indonesia and to require the armed forces of both parties immediately to withdraw to their own sides of the demili-

tarized zones which are delineated in detail in the truce agreement of January 17, 1948. I must reiterate my Government's view that the Council's cease-fire order of the first of August, 1947, continues to be binding on both parties and that it has been violated by the recent armed action taken by the Netherlands authorities in Indonesia.

It is hardly necessary for me to emphasize the seriousness with which my Government views a failure, by either party, to comply with the Council's cease-fire order. It is our considered view that the renewed outbreak of hostilities in Indonesia may prove to be a grave threat to international peace. Accordingly, in concert with Colombia and Syria the United States has submitted a draft resolution to the Council today. I hope it will adopt it with a minimum of delay.

It will be noted that the final paragraph of the draft resolution calls upon the Good Offices Committee to make further reports, including an assessment of responsibility for the outbreak of hostilities. It may seem to some members of the Council that this paragraph is unnecessary in view of the very excellent reports which have already reached the Council, including one which has just been distributed as Document S/1138. Nevertheless, since members of the Committee have informed us that it has not yet been possible for the full Committee to meet together and since the Council has not yet formally requested reports of this nature, I believe that it would be helpful to the Committee to have the Council record its desires as expressed in this last paragraph.

Current United Nations Documents—Continued from page 23

General Assembly—Continued

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- Official Records, Third Session. From the First Meeting (16 June 1948) to the Forty-third Meeting (5 August 1948). xv, 569 pp. printed. \$5.50.
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THE RECORD OF THE WEEK

Between November 1 and 15, 1948, Americans in China (with the exception of those living in the Taipei, Formosa, and Tihwa consular districts and those living in the Communist-occupied cities of Mukden and Dairen) were advised that, unless they had compelling reason to remain in China, they consider the desirability of evacuation while normal transportation facilities remained available. The texts of these warnings, as well as the approximate numbers of Americans who responded thereto, are given below. The numbers given are necessarily approximate owing to the fact that no precise numbers of those evacuated from the different cities have yet been furnished the Department.

Evacuation Warnings

On November 1, 1948, the American Consulates General at Peiping and Tientsin issued the following notice to American citizens residing in their respective consular districts:

"The military situation in north China appears to indicate that hostilities may spread to areas hitherto peaceful and that normal transportation facilities may be completely disrupted. Accordingly, American citizens should consider the desirability of evacuation at this time while normal transportation facilities are still available.

"In view of the present limited accommodations for passengers who might desire to travel by sea from Tientsin, additional facilities for transportation to Tsingtao or to Shanghai are being arranged. It is contemplated that, as ice conditions may interfere with navigation of the Hai Ho about mid-December, such additional facilities for passage to Tsingtao or to Shanghai would be available between now and December 1, 1948. It is, therefore, requested that you inform this Consulate General whether you or any of your dependents would desire to avail themselves of such facilities from Tientsin."

Nanking

On November 5, 1948, the American Embassy at Nanking issued the following warning to Americans in Nanking and its vicinity:

Evacuation of Americans From China

"Military developments in north China make it appear possible that hostilities may spread farther south, with the result that normal transportation facilities between Nanking and its environs and the sea may be disrupted. Also, with the approach of winter and the increasing shortage of food supplies and fuel, those remaining in Nanking and its environs may be subjected to undue hardships.

"Accordingly, it is suggested that unless you have compelling reason to remain, you consider the desirability of evacuation while normal transportation facilities remain available."

Shanghai

A similar warning was issued simultaneously by the American Consulate General at Shanghai to Americans residing in the provinces of Kiangsu and Anhwei. On November 9, the American Consulate General at Hankow also sent a similar warning to Americans residing in those parts of the Hankow consular district lying north of, and bordering on, the Yangtze River. On November 10, the American Consulate General at Tsingtao issued a notice similar to those issued by the Embassy at Nanking and the Consulates General at Shanghai and Hankow to Americans residing in Tsingtao.

Peiping and Tientsin

On November 11, 1948, the American Consulates General at Peiping and Tientsin issued the following further notice to American citizens in those cities:

"In as much as later evacuation on an emergency basis may be impossible, American citizens who do not desire to remain in north China should plan to leave at once by United States naval vessel from Tientsin. It is planned that the next United States naval vessel will leave Tientsin on November 18. American citizens who desire to avail themselves of the opportunity of proceeding by United States naval vessel should communicate with the Consulate General by November 13.

"Persons proceeding to Shanghai should endeavor to make their own arrangements for lodging there. Efforts will be made to billet persons unable to make such arrangements."

**Canton, Chungking, Hankow, Kunming,
Peiping, Shanghai, Tsingtao, and Tientsin**

On November 16, 1948, in accordance with the Embassy's instructions, the following statement was issued to American citizens residing in the Shanghai (including Nanking), Tsingtao, Tientsin, Peiping, Canton, Kunming, Chungking, and Hankow consular districts:

"In view of the generally deteriorating situation and the likelihood that means of exit from China may later be unavailable, all Americans in consular district who are not prepared to remain in areas where they now reside under possibly hazardous conditions should plan at once to move to places of safety. Facilities for movement are being arranged and will be announced shortly. These facilities will probably be available for only a short period of time. Therefore, all persons intending to take advantage of this opportunity for movement should do so immediately on receipt of information on the time and place of availability of transport."

**Mr. Lovett's Press and Radio News Conference,
December 8, 1948**

At his press and radio news conference on December 8, Acting Secretary Lovett reviewed the question of the evacuation of Americans from China. Mr. Lovett said that most of the correspondents would recall that early in November the consular and Embassy officials issued general warnings to American citizens which pointed out that, as the military situation deteriorated and transportation became more difficult to obtain, Americans would be well advised to leave unless there was some compelling reason for them to remain. He pointed out that, from the first of November through the fifth of December, 1,316 American citizens had been evacuated. Of these about 751 went by plane, 560 by United States Army and Navy transport vessels, and 5 by commercial ship.

Mr. Lovett stated that the diplomatic personnel as a whole would remain at their posts. However, female clerks and dependents of consular and diplomatic officials had been given the option of leaving or not. He added that 121 persons in these categories had already been evacuated.

Pointing out that there were some 2,500 American citizens in Shanghai and that similar warnings had been issued to them, Mr. Lovett went on to say that there was enough shipping available in the area to evacuate those persons, if necessary. He said that the Marine and Navy personnel were adequate to facilitate the embarkation of any Americans remaining there and, with the American consular and Embassy personnel at their posts, they would, of course, continue to be of such service as they could to American civilian and business interests and take appropriate steps for their protection.

Mr. Lovett stated that there was a number of Americans who have sound, compelling reasons to remain, and he said that the choice to remain depended, of course, upon the individual or upon those interests sponsoring him, be it a missionary, educational, or business group.

**Approximate Numbers of Nonofficial and Nonservice
Americans Evacuated From China Through December 20,
1948**

From the following cities in critical areas:

Nanking.....	No reliable information
Shanghai.....	920
Hankow.....	170
Tientsin.....	120
Peiping.....	432
Tsingtao.....	40

Total number evacuated from China..... 1,754

**Dependents of U.S. Consulate and Diplomatic Personnel
and Female Employees of U.S. Government Evacuated
From China Through December 20, 1948**

From the following cities:

Nanking.....	77
Shanghai.....	44
Hankow.....	4
Tientsin.....	8
Peiping.....	4
Total.....	137

**Total Number of Military Dependents Evacuated From
China Through December 15, 1948**

Navy and Marine dependents.....	501
Army and Air Force dependents.....	1,052
Total.....	1,553

U.S. Concerned at Overthrow of Governments In Certain American Republics

[Released to the press December 21]

The Government of the United States has made known to a number of other governments of the American republics its growing concern with respect to the overthrow of popularly elected governments by military forces in certain of the countries of this hemisphere. This Government has assured the governments to which it has expressed this concern that the United States wishes to make every legitimate and useful effort to encourage democratic and constitutional procedures. Any such effort by the United States would of course be faithfully consistent with inter-American commitments and procedures.

The Department has solicited the comments of the foreign ministers of other American republics regarding legitimate and appropriate actions the inter-American organization might take to strengthen the democratic and constitutional framework of the governments of this continent. It was mentioned in this respect that the view that nonrecognition is not a suitable approach to the much broader problem was an important consideration in this Government's approval of resolution 35 at the Bogotá conference, which resolution declares that "continuity of diplomatic relations

among the American States is desirable", and that "the establishment or maintenance of diplomatic relations with a government does not imply any judgment upon the domestic policy of that government".

In the view of the Government of the United States, the use of force as an instrument of political change is not only deplorable, but is usually inconsistent with the acknowledged ideals of the American republics and increasingly a danger to all the countries of this hemisphere. If this use of force continues, it cannot fail to become a sufficiently serious issue to engage the attention of the American republics as a whole.

Many of the other governments of the American republics undoubtedly share this view with the United States since those governments participated in formulating the preamble of the Rio treaty, which states that "peace is founded . . . on the effectiveness of democracy for the international realization of justice and security" and the charter of the Organization of American States, which declares that "The solidarity of the American States and the high aims which are sought through it require the political organization of those States on the basis of the effective exercise of representative democracy."

U.S. To Be Represented at ITU Preparatory Meeting

[Released to the press December 20]

The United States Government will send representatives, to be named at a later date, to a preparatory meeting to discuss the form of International Telegraph Regulations. This meeting, sponsored by the International Telecommunications Union (ITU), is scheduled to open at Geneva on January 17, 1949. It is being called in accordance with a resolution of the sixth meeting of the International Telegraph Consulting Committee, held at Brussels, May 1948. This resolution provided that a committee of eight countries be convened to prepare the form for modification of the International Telegraph Regulations drawn up at the ITU Telegraph and Telephone Conference at Cairo in 1938 in order that these regulations might be accepted by all members of the ITU. The resolution calling this meeting further provided that countries which have not accepted the Telegraph Regulations indicate to the Secretary

General of the ITU by January 1, 1949, the provisions of the regulations which have so far prevented their acceptance.

Although for many years a party to international telecommunication conventions, the United States has not heretofore become a party to International Telegraph Regulations. After careful consideration of the views of the telegraph industry and users, the Government has concluded that it should participate in the forthcoming Geneva meeting so that regulations may be developed to which the United States may adhere. A letter has been forwarded to the Secretary General of the ITU indicating this Government's intention to participate in the forthcoming meeting and stating the views of the United States with respect to the provisions of the International Telegraph Regulations in connection with possible adherence by this Government.

Department of State Bulletin

PUBLICATIONS

Department of State

For sale by the Superintendent of Documents, Government Printing Office, Washington 25, D.C. Address requests direct to the Superintendent of Documents, except in the case of free publications, which may be obtained from the Department of State.

Proceedings and Documents of United Nations Monetary and Financial Conference. Bretton Woods, New Hampshire, July 1-22, 1944. Vol. II. International Organization and Conference Series I, 3. Pub. 2866. 1808 pp. \$2.25.

Appendixes: miscellaneous Conference documents, list of documents issued at the Conference, and related papers.

Food Production Cooperative Program in Costa Rica. Treaties and Other International Acts Series 1772. Pub. 3250. 17 pp. 10¢.

Agreement Between the United States and Costa Rica Confirming and Accepting Agreement of February 19, 1948—Effected by exchange of notes signed at San José February 20 and 27, 1948; entered into force February 27, 1948.

Passport Visa Fees. Treaties and Other International Acts Series 1798. Pub. 3296. 3 pp. 5¢.

Arrangement Between the United States and Sweden—Effected by exchange of notes dated at Washington April 10 and 30, 1947; entered into force April 30, 1947.

Caribbean Commission. Treaties and Other International Acts Series 1799. Pub. 3297. 29 pp. 10¢.

Agreement Between the United States, France, Netherlands, and the United Kingdom of Great Britain and Northern Ireland—Opened for signature at Washington October 30, 1946; entered into force August 6, 1948.

Radio Broadcasting: Engineering Standards Applicable to the Allocation of Standard Broadcasting Stations (540-1600 kcs.). Treaties and Other International Acts Series 1802. Pub. 3306. 7 pp. 5¢.

Arrangements Between the United States and Canada—Effected by exchange of notes signed at Washington December 24, 1947 and April 1, 1948; entered into force April 1, 1948.

War Damages in The Philippines: Public and Private Claims Against the United States. Treaties and Other International Acts Series 1814. Pub. 3329. 10 pp. 5¢.

Agreement Between the United States and the Republic of The Philippines—Signed at Manila August 27, 1948; entered into force August 27, 1948.

Weather Stations: Cooperative Program on Guadalupe. Treaties and Other International Series 1807. Pub. 3317. 7 pp. 5¢.

Agreement Between the United States and Mexico—Effected by exchange of notes signed at Mexico November 6, 1945 and April 12, 1946, entered into force April 12, 1946.

Volume XVI of Territorial Papers of the United States Released

[Released to the press December 25]

Volume XVI of the series entitled *The Territorial Papers of the United States*, published by the Department of State under the authority of an act of Congress, was released on December 25.

Volume XVI, the first of two volumes on the Territory of Illinois, contains the official papers found in the archives in Washington and the State of Illinois pertaining to that territory for the years 1809-1814. The territory in question

comprised the entire area now included within the present States of Illinois and Wisconsin, and the documents reproduced represent a continuation of those presented in volumes II and III (Northwest Territory) and volumes VII and VIII (Indiana Territory) of the same series. Illinois Territory was carved out of Indiana Territory, which had previously evolved from the Northwest Territory.

This volume presents documents on the organization of the territory, on the activities of the territorial secretary, Nathaniel Pope, as acting governor from March to June 1809, and on the two administrations of Governor Ninian Edwards from 1809 to 1814. Aspects of the life of this frontier area touched upon include the policies and acts of the governor and other territorial officials concerning the land system, Indian relations, establishment of postal routes, operation of the governmental factory trading system, organization of the territorial militia, and the erection and maintenance of military posts. Communications on various of these subjects passed between the governor and Secretary of the Treasury Albert Gallatin, Secretary of War William Eustis, Postmaster General Gideon Granger, the governors of neighboring territories, and territorial officials. Other federal officials in the territory corresponded with John Mason, the Superintendent of Indian Trade at Washington, the Surveyor General at Cincinnati, and the Commissioner of the General Land Office at Washington. Besides political and institutional history, the papers disclose information in regard to local history, biography, and genealogy.

The outstanding event on this frontier during the period was the Indian war before and during the War of 1812. This necessitated the raising of rangers and mounted riflemen early in 1812. Governor Edwards himself commanded these forces until the middle of 1813 when the military command in the territory passed to Brigadier General Benjamin Howard. On this and other matters the documents published supplement those to be found in the papers of Governor Edwards printed in the Chicago Historical Society *Collections*. The concluding volume, now in proof, covering the period 1814-1818, will appear during the next fiscal year.

Dr. Clarence E. Carter, of the Division of Historical Policy Research in the Department of State, is the editor of the series of *Territorial Papers*. Volume XVI of the series may be purchased from the Superintendent of Documents, Government Printing Office, Washington, D.C., for \$3.25 a copy.

Notice

The monthly Calendar of International Meetings will appear in the January 9 issue of the *BULLETIN*.

Contents

The United Nations and Specialized Agencies

Ecosoc 1948: A Review and Forecast. Article by Walter M. Kotschnig	3
United Nations Action on Human Rights in 1948. Address by James Simsarian . .	18
U.N. Documents: A Selected Bibliography .	23
Discussion in the Security Council of the Indonesian Situation. Statement by Philip C. Jessup	24

General Policy

Evacuation of Americans From China . . .	28
U.S. Concerned at Overthrow of Governments in Certain American Republics .	30

Economic Affairs

U.S. To Be Represented at Iru Preparatory Meeting	30
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Publications

Department of State.	31
Volume XVI of Territorial Papers of the United States Released	31

Contributors

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